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CHEVRON CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHEVRON CORPORATION,

Plaintiff,

v.

STEVEN DONZIGER, *et al.*,

Defendant.

Case No. C 12-80237 MISC

**DECLARATION OF JASON B. STAVERS
ON BEHALF OF CHEVRON
CORPORATION IN OPPOSITION TO
DEFENDANTS' MOTION TO QUASH
CHEVRON CORPORATION'S
SUBPOENAS TO GOOGLE INC. AND
YAHOO! INC.**

1 I, Jason B. Stavers, declare:

2 1. I am an attorney duly admitted to the State Bar of Colorado and an associate at the law
3 firm of Gibson, Dunn & Crutcher LLP, attorneys of record for Chevron Corporation in the above-
4 captioned action. I am over the age of eighteen years and am not a party to this action. I have
5 personal knowledge of the facts set forth in this declaration.

6 2. Attached hereto as "**Exhibit 1**" is a true and correct copy of the subpoena to Google
7 Inc. issued by Chevron Corporation, dated September 7, 2012.

8 3. Attached hereto as "**Exhibit 2**" is a true and correct copy of the subpoena to Yahoo!
9 Inc. issued by Chevron Corporation, dated September 7, 2012.

10 4. Attached hereto as "**Exhibit 3**" is a placeholder for an annotated and hyperlinked
11 version of Chevron's First Amended Complaint in *Chevron Corp. v. Donziger, et al.*, 11-cv-0691
12 LAK (S.D.N.Y.), which will be lodged with the Clerk's Office of this Court and provided to
13 Chambers on a CD-ROM. Chevron has created this document to provide easy reference to the
14 voluminous exhibits supporting Chevron's allegations. The CD-ROM will also contain all exhibits
15 referenced in the annotated version of the First Amended Complaint and the declarations filed with
16 the Southern District of New York authenticating those exhibits.

17 5. Attached hereto as "**Exhibit 4**" is a true and correct copy of an opinion and order
18 entered by the United States District Court for the Southern District of New York, dated July 31,
19 2012, and which appears as docket entry 550 in *Chevron Corp. v. Donziger et al.*, 1:11-cv-00691-
20 LAK (S.D.N.Y.).

21 6. Attached hereto as "**Exhibit 5**" is a true and correct copy of a "Cease and Desist"
22 letter dated February 14, 2006 from D. Russell to S. Donziger, produced by W. Powers and bearing
23 Bates numbers POWERS-NATIVE09594-95.

24 7. Attached hereto as "**Exhibit 6**" are true and correct copies of transcripts of footage
25 shot in connection with the filming of *Crude*, including certified translations thereof.

26 8. Attached hereto as "**Exhibit 7**" is a true and correct copy of an email dated August 1,
27 2008 from D. Beltman to P. Fajardo and S. Donziger, produced by Stratus Consulting and bearing
28 Bates numbers STRATUS-NATIVE063668-69.

1 9. Attached hereto as “**Exhibit 8**” is a true and correct copy of an email dated May 19,
2 2008 from S. Donziger to D. Beltman and accompanying “comments by our technical team on the
3 cabrera report,” produced by Stratus Consulting and bearing Bates numbers STRATUS-
4 NATIVE062132-61, and a certified translation thereof.

5 10. Attached hereto as “**Exhibit 9**” is a true and correct copy of an email chain dated
6 February 11, 2005 among S. Donziger, D. Russell, and E. Camino with the subject “Needed: A
7 different analysis,” produced by S. Donziger and bearing Bates number DONZ00038567.

8 11. Attached hereto as “**Exhibit 10**” is a true and correct copy of excerpts from a report
9 entitled “Final Environmental Field Audit for Practices 1964–1990, Petroecuador Texaco
10 Consortium, Oriente, Ecuador,” prepared by Furgro-McClelland (West) Inc. and dated October 1992.

11 12. Attached hereto as “**Exhibit 11**” is a true and correct copy of an email dated
12 November 7, 2006 from P. Fajardo to S. Donziger and others, with the subject “NEWS,” produced by
13 S. Donziger and bearing Bates number DONZ00041865, and a certified English translation thereof.

14 13. Attached hereto as “**Exhibit 12**” is a true and correct copy of an excerpt from
15 S. Donziger’s personal notes, produced by S. Donziger and bearing Bates number DONZ00027256.

16 14. Attached hereto as “**Exhibit 13**” is a true and correct copy of a filing dated April 25,
17 2008, submitted by P. Fajardo in the Lago Agrio Litigation, bearing record number 140265, and a
18 certified English translation thereof.

19 15. Attached hereto as “**Exhibit 14**” is a true and correct copy of a filing dated July 23,
20 2007, submitted by R. Cabrera in the Lago Agrio Litigation, bearing record number 131972, and a
21 certified English translation thereof.

22 16. Attached hereto as “**Exhibit 15**” is a true and correct copy of the expert report of
23 Gerald R. McMenamin, dated June 30, 2011.

24 17. Attached hereto as “**Exhibit 16**” is a true and correct copy of the Declaration of
25 Michael L. Younger dated July 14, 2011, attaching his report dated June 10, 2011.

26 18. Attached hereto as “**Exhibit 17**” is a true and correct copy of a transcript of
27 proceedings held on August 31, 2011 in *Chevron Corp. v. Page*, Case No. RWT-11-1942 (D. Md.).
28

1 19. Attached hereto as “**Exhibit 18**” is a true and correct copy of an email dated March
2 30, 2010 from Julio Prieto to S. Donziger and others, with the subject “accion de proteccion,”
3 produced by S. Donziger and bearing Bates number DONZ00055225, and a certified translation
4 thereof.

5 20. Attached hereto as “**Exhibit 19**” is a true and correct copy of an email exchange dated
6 July 1, 2010 among Lago Agrio Plaintiffs’ U.S. lawyers, including S. Donziger, Eric Westenberger,
7 Ilann Maazel, Andrew Wilson, and James Tyrell, with the subject “Re: Mini-revelation,” produced by
8 S. Donziger and bearing Bates number DONZ00031337.

9 21. Attached hereto as “**Exhibit 20**” is a true and correct copy of an email dated July 1,
10 2010 from E. Daleo to E. Westenberger. This email was produced by S. Donziger and bears the
11 Bates number DONZ00104702.

12 22. Attached hereto as “**Exhibit 21**” is a true and correct copy of an order entered by the
13 United States District Court for the Southern District of New York, dated January 21, 2011, and
14 which appears as docket entry 171 in *In re Application of Chevron Corp.*, 1:10-mc-00002-LAK
15 (S.D.N.Y.).

16 23. Attached hereto as “**Exhibit 22**” is a true and correct copy of excerpts from the
17 transcript of the deposition of Steven Donziger in the action *In re Application of Chevron Corp.*, No.
18 10-MC-00002 (LAK) (S.D.N.Y.), taken on January 18, 2011.

19 24. Attached hereto as “**Exhibit 23**” are true and correct copies of three subpoenas on
20 Yahoo! Inc. by Friedman, Kaplan, Seiler & Adelman LLP, counsel for Steven Donziger, respectively
21 dated November 29, 2010, December 9, 2010, and January 3, 2011.

22 25. Attached hereto as “**Exhibit 24**” is a true and correct copy of a letter from Yahoo!
23 Inc., dated December 7, 2010, to Friedman, Kaplan, Seiler & Adelman LLP, counsel for Steven
24 Donziger.

25 26. Attached hereto as “**Exhibit 25**” is a true and correct copy of a letter from Yahoo!
26 Inc., dated December 20, 2010, to Friedman, Kaplan, Seiler & Adelman LLP, counsel for Steven
27 Donziger.

28

27. Attached hereto as "**Exhibit 26**" is a true and correct copy of a letter from Yahoo! Inc., dated January 7, 2011, to Friedman, Kaplan, Seiler & Adelman LLP, counsel for Steven Donziger.

28. Attached hereto as "**Exhibit 27**" is a true and correct copy of a document entitled "Yahoo! Account Management Tool" which indicates that it reports information associated with documents2010@ymail.com email address, which was produced to Chevron by S.Donzgier.

29. Attached hereto as "**Exhibit 28**" is a true and correct copy of excerpts from Steven Donziger's and the Law Offices of Steven R. Donziger's Memorandum of Law In Support of Their Motion to Dismiss Chevron's Complaint in the RICO action, dated March 30, 2011.

30. Attached hereto as "**Exhibit 29**" is a true and correct copy of an email dated June 22, 2007 from P. Fajardo to S. Donziger, and a certified English translation thereof.

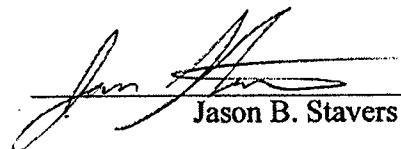
31. Attached hereto as "**Exhibit 30**" is a true and correct copy of a transcript of September 25, 2012 proceedings in *Chevron Corp. v. Donziger*, 10-cv-0691 LAK (S.D.N.Y.).

32. Attached hereto as "**Exhibit 31**" is a true and correct copy of Google's privacy policies, downloaded from the internet on October 10, 2012.

33. Attached hereto as "**Exhibit 32**" is a true and correct copy of Yahoo!'s privacy policies, downloaded from internet on October 10, 2012.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 19th day of October, 2012, in Denver, Colorado.


Jason B. Stavers

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